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Chairman: Mr. Galuška ..... (Czech Republic)

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00-22414 (E)

The meeting was called to order at 10.20 a.m.

Agenda item 111: Report of the United Nations High Commissioner for Refugees, questions relating to refugees, returnees and displaced persons and humanitarian questions (A/54/12 and Add.1, A/54/91, A/54/98, A/54/99, A/54/285, A/54/288, A/54/414)

1. **Ms. Ogata** (United Nations High Commissioner for Refugees) said that conflicts were on the increase and in many parts of the world civilians were being forced to flee by mainly internal wars. As the situations in Kosovo, East Timor, Sierra Leone and the Great Lakes region of Africa demonstrated, the root causes of conflicts and displacement often lay in the failure to give due recognition to the aspirations and rights of ethnic minorities or other social groups. That fuelled separatist claims and led to the polarization of societies and communities and refugee crises. Refugee movements had become a major source of instability and conflict, and there was a demand for rapid solutions, often at the expense of humanitarian principles and the protection of refugees.

2. The crisis with the highest profile in 1999 had been Kosovo. The only way of dealing with the massive exodus of refugees had been to resort to services that only the military, in particular the States members of the North Atlantic Treaty Organization (NATO), could provide. Notwithstanding serious logistical problems and other obstacles, the response of the international community to the crisis had made it possible to meet immediate safety and survival needs. However, the Kosovo crisis was not over: a number of problems remained unresolved. One priority of the United Nations, including the Office of the United Nations High Commissioner for Refugees (UNHCR), was to help those whose houses had been destroyed or damaged to survive the winter. While the international security force (KFOR) had undoubtedly played an indispensable role in curbing violence, attacks on the Serb and Roma minorities continued. Such a situation contrasted sharply with one of the declared purposes of NATO action, namely, to preserve the existence of a multi-ethnic society in Kosovo. Some of the consequences of the Kosovo crisis, in particular the fresh displacement of minorities, were linked to broader, unresolved problems in the former Yugoslavia. More than 1.5 million persons were estimated to have been displaced from their homes in that region.

3. While the situation in East Timor was being gradually brought under control, the most immediate concern of UNHCR was the people who had fled to West Timor, some of whom had returned home in a UNHCR-coordinated operation. In September 1999, during a visit to Indonesia, she had persuaded the Government to allow UNHCR and other humanitarian organizations access to refugees in West Timor. Some progress had been made despite the difficult and unpredictable situation, a situation in which humanitarian staff had been threatened and harassed. The Indonesian Government had promised to provide all necessary security measures for both refugees and humanitarian agencies, to maintain the civilian character of refugee camps and to facilitate humanitarian assistance activities.

4. While in the cases of Kosovo and East Timor the international community had eventually responded, in other cases the response was much slower and more piecemeal, in Africa in particular. In West Africa, half a million Sierra Leoneans still lived in camps in Guinea and Liberia. The situation in Liberia, where there had been attacks by rebel groups, was worrying. In Central Africa, the complex pattern of interlinked wars encouraged the outbreak of violent sub-conflicts that invariably caused population movements. The humanitarian situation in the Democratic Republic of the Congo was particularly alarming; thousands of people had fled to neighbouring countries, refugees from which had sought sanctuary in the Democratic Republic of the Congo itself. The situation in Burundi was very fragile, as had been demonstrated by recent episodes of violence in which United Nations staff members had been killed. The conflict in Angola had pushed more refugees into neighbouring countries and exacerbated the catastrophic situation of internally displaced persons. The Lusaka and Lome Ceasefire Agreements had raised hopes for peace in Central and West Africa. In both cases, UNHCR hoped that the ceasefires would become lasting peace, thereby enabling thousands of refugees to return. She was concerned, however, that insufficient resources were provided by the international community to implement the Agreements in terms of political pressure, support for peacekeeping arrangements and development aid to back up peace-building activities.

5. The serious humanitarian situation on the southern border of the Russian Federation, which had caused displaced people from Chechnya to move,

primarily to the Republic of Ingushetia, but also to Daghestan and other regions and countries, was of great concern in view of its potential for further destabilization in a region that was already very fragile. Several elements of that humanitarian crisis were very worrying: winter in the North Caucasus was extremely cold; most border points had been closed, thereby preventing terrified civilians from crossing the border into safer areas; and the presence of criminals who threatened humanitarian agencies made operations very risk, and access to displaced persons even more difficult and dangerous. UNHCR continued to discuss the issue with the Russian authorities and was prepared to continue to cooperate with the Government in providing assistance to displaced people.

6. Other crisis situations, such as those in Afghanistan, Colombia, Angola and the Horn of Africa, demonstrated the direct link that existed between conflicts and forced human displacement in many parts of the world. In Mexico, a positive note had been struck by the Guatemalan repatriation programme. Some refugees had opted to return to their country, while others had chosen to become naturalized or to remain in Mexico as immigrants. She hoped that the successful ending of the Guatemalan refugee crisis would serve as an example for the resolution of other refugee situations.

7. Refugee issues could not be discussed without reference to security problems, in particular, the security of humanitarian staff. Humanitarian staff were threatened in many parts of the world, notably in Burundi, where some United Nations staff members had lost their lives, but also in North Caucasus and West Timor. The issue of staff security, which must be addressed on the basis of a ladder of options, should be resolved in a comprehensive manner through political, legal, operational and even psychological means. The importance of "middle" options should be stressed; they included equipping and providing training for the local police and deploying liaison officers, and required a collaborative effort between States and agencies. She hoped that pilot projects would soon be launched, and was counting on the involvement and support of all. Security, however, must be durable in particular when refugees returned to divided communities after the end of conflicts and in long-term refugee situations. In the absence of development assistance, situations of "fragile peace" could deteriorate and cause further population displacement. The approach to post-conflict recovery should therefore be as comprehensive as possible.

8. The experience gained in Kosovo could be useful in tackling other situations in which there was a wide gap between humanitarian and reconstruction activities and in which refugee or returnee issues played an important role, as in Rwanda, Liberia, the Horn of Africa and East Timor. The lack of interest shown by the international community in that issue was a source of legitimate concern. UNHCR, in cooperation with the World Bank, the United Nations Development Programme (UNDP) and some concerned Governments, had promoted discussions on how best to set up coordination and funding mechanisms in order to facilitate the transition from humanitarian to development aid. Stabilization and post-conflict recovery were essential if the consequences of many conflicts were to be addressed. The Kosovo crisis had made it clear that the Balkans would only be able to move from chronic conflict to stability, development and progressive integration within Europe with the help of a comprehensive international effort. The Stability Pact for South Eastern Europe, if swiftly implemented, could offer a model of regional cooperation in tackling reconstruction. The coexistence and reconciliation of divided communities was crucial. Judicial systems must be restored and those who had committed crimes against humanity must be brought to justice, while, at the same time, there was a need for more support and more creative thinking in the design and implementation of projects aimed at reconciling divided communities.

9. The mandate of UNHCR was not simply "humanitarian"; UNHCR was responsible also for ensuring the protection of refugees. The operating space of UNHCR and its partners was, however, currently being threatened. It was therefore important to define its mandate more clearly and to defend it better. The search for solutions to international crises must be based on the principles of refugee protection, from the granting of asylum to refugees, the provision of assistance and the prevention of refugee flows, to the reconciliation of divided communities in order to ensure that refugees, communities and States benefited as much as possible in practical terms. In the year 2000, UNHCR would observe its fiftieth anniversary. It was important that refugees should be given the means to make a positive contribution to their host communities or to their communities of origin once

they returned. To help some of them to prepare, even during the difficult period of their exile, UNHCR planned to allocate all funds raised through activities related to its fiftieth anniversary to a refugee education endowment fund.

10. **Mr. Alfeld** (South Africa) said that he shared the concerns of the High Commissioner, but also her optimism concerning the positive events that had recently taken place, in particular the initiatives taken in Algiers at the Assembly of Heads of State and Government of the Organization of African Unity (OAU) and at the Ministerial Meetings of OAU in order to deal with the persistent problems of refugees in Africa. He commended the High Commissioner for the position she had taken to eliminate disparities in the allocation of funds for refugee programmes, in particular in Africa, and for the concerns she had expressed over the way in which humanitarian assistance had been directed and militarized and over the increasing tendency among donors to provide bilateral rather than multilateral assistance. Such factors contributed to reducing credits for refugees in Africa, as donor countries used their strategic interests, geographical proximity and media pressure to justify the priority which they gave to certain refugee situations. In the statements she had made regarding mediation and conflict settlement efforts in Africa, the High Commissioner had often emphasized the need to take humanitarian considerations into account at the very outset during peace negotiations. His delegation would like the High Commissioner to indicate the modalities which should be followed in that regard and to specify whether the UNHCR Regional Liaison Office in Addis Ababa could ensure liaison with the Mechanism for Conflict Prevention, Management and Resolution of OAU, or whether a more appropriate mechanism could be envisaged as part of the various mediation initiatives undertaken in Africa.

11. **Mr. de Palacio** (Spain) said that his country was concerned about the problem of security, as several incidents affecting the safety of UNHCR staff had occurred during the year. His delegation welcomed the efforts made by the Executive Committee to find solutions, and stood ready to offer its full support. Security in the camps, another important aspect of the matter, was the fundamental responsibility of the host States, which must assume responsibility for it in cooperation with UNHCR. Military factors were of great importance in humanitarian crises, as were the lessons drawn by UNHCR from the interrelationship between the two. Referring to the "forgotten conflicts", most of which were in Africa, he called upon the international community to take the measures necessary to put an end to the current imbalance in the allocation of financial resources to humanitarian operations undertaken by UNHCR in the various regions of the world, so that the longest running conflicts would not be neglected in favour of more recent conflicts which received more media attention.

12. **Mr. El-Aas** (Sudan) said that UNHCR must undertake activities to assist refugees in regions where there were both environmental and social problems, in particular in the Sudan, where refugees had been living for some 30 years. UNHCR should help the Sudan to contact Sudanese refugees in order to inform them of the situation in the country and make preparations for their voluntary return. To that end, it was important to establish refugee protection mechanisms and training programmes for the personnel responsible for such mechanisms. Some child refugees continued to be exploited and used in armed conflicts, as various reports on the question had noted. His delegation regretted that, despite the large number of refugees his country had received, the High Commissioner had not visited the Sudan; it hoped for a visit in the near future.

13. **Ms. Ogata** (United Nations High Commissioner for Refugees) welcomed the fact that all the speakers had emphasized the need for a balance in the allocation of resources, and said that she would continue her efforts in that direction. In response to the comment by the representative of South Africa, she said she favoured the idea of including humanitarian considerations in peace negotiations from the very outset, and that UNHCR would work more systematically to do so, in particular in cooperation with regional organizations. Regarding the observation of the representative of Spain concerning security in the camps, negotiations and consultation on that subject had taken place with United Nations bodies and with Governments. The approach on the basis of a ladder of options applied both to the safety of personnel and to security in the camps, which was the responsibility of the host countries. However, UNHCR, too, shared some of the responsibility for ensuring that the civilian nature of the camps was preserved, in particular by contributing to the funding of police training and by ensuring that the camps did not accept armed men. Far from forgetting long-term conflicts and

the consequent persistent humanitarian needs, UNHCR must endeavour to draw the attention of the international community to such situations. The Sudan, which had hosted refugees for so long, was a case in point. Clearly, UNHCR had difficulties in reaching refugees in that country, but it provided assistance to Sudanese refugees in neighbouring countries. She thanked the representative of the Sudan for the invitation extended to her, and would take the next opportunity to visit that country.

14. **Mr. Goa** (Guinea) said that, over and above the neglect of the economic aspirations of certain social categories which was presented as a cause of conflicts, the other causes mentioned by the Secretary-General in his report on the causes of conflict in Africa (A/52/871-S/1998/318) should be borne in mind. His delegation believed that the various working groups established on that subject should make positive progress on the proposals formulated for the settlement of conflicts. It shared the view of the High Commissioner that peace and security were still fragile in West Africa and that resources should be found to seek solutions to the conflicts and the refugee situations in the subregion. The contribution of the international community was of capital importance in supporting measures to consolidate peace and security in West Africa. Cooperation between United Nations bodies must therefore be revitalized, all the countries concerned must be associated in the process from the start, and effective cooperation between such countries and United Nations bodies must be ensured.

15. **Mrs. Liira** (Finland), recalling that the High Commissioner had stated that one of the challenges to be met was that of ensuring a smooth passage from humanitarian assistance to development assistance, asked for more precise information on the Brookings process, the ideas it had generated and the practical steps foreseen in that regard.

16. **Mr. Carranza-Cifuentes** (Guatemala), referring to the Guatemalan refugee repatriation programme in Mexico, which would settle a 20-year-old problem, and the participation of refugee representatives in negotiating the conditions of the repatriation agreement, asked whether an identical initiative had been used elsewhere in the world, and if so, what role had been played by women in such a process.

17. **Ms. Taft** (United States of America) said that the entire international community, and not one particular State, must bear the burden of refugees, and that cooperation with host countries was necessary in order to ensure that they were in a position to respect the values advocated by the United Nations. While cooperation between States, the Organization and other international agencies, non-governmental organizations, the military and private individuals had been excellent during the Kosovo and Timor crises, the efforts made to deal with those crises had placed an enormous strain on the entire humanitarian aid network. Therefore, the problem of capacities, particularly with regard to human resources, needed to be addressed. She stressed that the job of the High Commissioner for Refugees was to ensure that the needs of refugees were satisfied on an equitable basis, and that many crises around the world caused by the inflow of refugees did not receive as much attention by the international community as those in Kosovo, Timor and Chechnya but nonetheless required support, which the United States had made every effort to provide and was determined to continue. She invited all States to follow its example.

18. Refugee camp security was a major problem which the international community must address as a matter of priority on the basis of Security Council resolution 1208 (1998). The creation of a multinational civilian police force, the elaboration of training programmes for host country police forces or refugees themselves and the deployment of multinational peacekeeping forces authorized by the Organization were all options for resolving the problem. The report of the High Commissioner on refugee camp security contained suggestions in that regard; however, it was still necessary to find the required resources and mobilize the political will essential to implementing them.

19. Her delegation was concerned about the protection of refugee women and children, who were all too often the victims of physical violence and sexual abuse, and about the safety of humanitarian workers who, in many parts of the world, were killed, kidnapped, injured or raped.

20. Moreover, aware that assistance to internally displaced persons drained considerable financial and human resources from the Office of the High Commissioner, the United States believed that the international community should tackle the problem of internally displaced persons in the same manner as that of refugees. The Office for the Coordination of

Humanitarian Affairs and its participating United Nations agencies should develop their capacities in that area, and the responsibilities of each one should be clearly defined.

21. **Ms. Ogata** (United Nations High Commissioner for Refugees) thanked the representative of Guinea for stressing the importance of cooperation among the various United Nations agencies and of coordination between those agencies and all the States that were parties to a conflict.

22. In response to the representative of Finland, who had enquired about the measures taken to facilitate the transition between the assistance and development phases, she said that, as a result of a working meeting held in Paris, the Office of the High Commissioner for Refugees, the United Nations Development Programme and the World Bank had agreed to set up an unofficial secretariat to assess the situation on the ground and to organize a very high-level mission to Sierra Leone, which should act as a precedent for dealing with similar situations elsewhere in the world.

23. In response to the representative of Guatemala, she stressed that the solution to the problem of Guatemalan refugees in Mexico — namely, the choice between repatriation and integration which had been offered to those refugees — was absolutely unique; she hoped to see those successful results replicated in other parts of the world.

24. In response to the representative of the United States, she said that the Office of the High Commissioner was responsible for protecting refugees wherever they were, but that that problem was frequently compounded by that of internally displaced persons. In a world where internal conflicts were on the rise and where certain States were incapable of ensuring governance, the question of internally displaced persons was bound to become increasingly important. Thus, for the purposes of protection, the assignment of responsibilities must be clear and the system of categorizing populations into refugees or internally displaced persons must be abandoned. She also wished to congratulate the United States, which had financed programmes for African refugees.

25. **Ms. El-Hajjaji** (Libyan Arab Jamahiriya), referring to the question of unaccompanied refugee minors addressed in the report of the High Commissioner (A/54/12), said that her delegation wished to know what specific measures the Office of the High Commissioner intended to take with regard to, in particular, sick or handicapped children and the recruitment of children for deployment in armed conflicts. Furthermore, the Libyan Arab Jamahiriya, which was committed to hosting many refugees, was outraged at having been cited, on page 24 of a publication of the Office of the High Commissioner entitled "The State of the World's Refugees 1997-1998", as a State in the throes of an armed conflict and wished its name to be deleted.

26. **Ms. Kapalata** (United Republic of Tanzania) requested the High Commissioner to specify the meaning of the term "people of concern to the United Nations High Commissioner for Refugees".

27. **Ms. Elisha** (Benin), referring to document A/54/414, which mentioned that the programme for the repatriation of 250,000 Liberian refugees had been interrupted, asked whether provisions had been made to repatriate those refugees as soon as possible.

28. **Mr. Weiss** (Austria), referring to the conclusions of the recent meeting of the Executive Committee of the Programme of the United Nations High Commissioner, which stressed the need to develop other forms of protection for refugees and encouraged the Office of the High Commissioner to consult the States and parties concerned, said that his delegation wished to know what action the Office of the High Commissioner planned to take in that regard.

29. **Mr. de Alba** (Mexico) said that it was important to examine the process which had led to the settlement of the Guatemalan refugee problem in Mexico so that it might serve as a model for the future and have a positive impact on refugee-related policies, particularly when there were special ties between the refugees and the host country.

30. **Ms. Ogata** (United Nations High Commissioner for Refugees), responding to the representative of the Libyan Arab Jamahiriya, said that the Office of the High Commissioner was cooperating closely with UNICEF in order to resolve the problem of unaccompanied refugee minors as best it could by striving, in particular, to reunite families. Various agencies and special representatives of the Secretary-General were dealing with the specific question of recruiting children for deployment in armed conflict. She also declined all responsibility for the content of the publication on the state of the world's refugees in 1997-98, which was not an official publication. She

would nonetheless communicate the complaints voiced by the representative of the Libyan Arab Jamahiriya to her colleagues. She invited all States to draw her attention to any errors they might find in documents issued by the Office of the High Commissioner.

31. In response to the representative of the United Republic of Tanzania, she said that the term "people of concern to the High Commissioner for Refugees" generally referred to, *inter alia*, asylum-seekers, returnees and internally displaced persons.

32. Replying to the representative of Benin, she explained that there were two reasons for interrupting the Liberian repatriation programme: the lack of security in certain parts of Liberia, on the one hand, and the dearth of development assistance on the other, which, in particular, deprived returnees' children of essential educational and health structures.

33. In response to the representative of Austria, she said that the agreed conclusions that had emerged from the recent meeting of the Executive Committee were linked to the legal interpretation of the expression "agent of persecution", which, under the case law of many European countries referred only to the State, posing a legal problem with respect to refugee status. The Department of International Protection was consulting with States members of the Executive Committee on that subject, with a view to ensuring better protection for victims of persecution.

34. Referring to the statement by the representative of Mexico, she said that the open-door policy practised by that country had led to a felicitous solution to the problem of Guatemalan refugees in Mexico.

35. Since many countries had expressed their concern with regard to the safety of staff members of humanitarian organizations, she regretted to announce that an aircraft of the World Food Programme carrying 23 persons had crashed that morning in southern Kosovo, between Skopje and Pristina; no further information was currently available.

36. **Ms. Liira** (Finland), speaking on behalf of the European Union, the Central European countries associated with the European Union, and the associated countries Cyprus and Malta, said that nearly 50 years after the establishment of the Office of the United Nations High Commissioner for Refugees (UNHCR), there were still more than 21 million refugees in the world, whose situation was no longer solely the outcome of military conflicts but also resulted from the will to achieve ethnic uniformity or control of natural resources. The most recent examples were Kosovo, Sierra Leone and East Timor. In that regard, the European Union commended the efforts made by the High Commissioner, the staff of her Office and associated non-governmental organizations on behalf of refugees, and reiterated its support for their activities.

37. The protection of human rights and the protection of refugees complemented one another. In fact, respect for human rights — in particular minority rights — democracy and good governance were crucial for preventing population displacements and refugee flows. With regard to displaced populations, at its 1999 session, the Executive Committee of the Programme of the United Nations High Commissioner had underlined the need for UNHCR, States, and other concerned parties to take concerted and coordinated action to ensure the protection of the populations affected, particularly women, children and humanitarian staff. The European Union planned to introduce a draft resolution on that important subject at the plenary meeting of the General Assembly.

38. With regard to the crisis in Kosovo, the European Union welcomed the international solidarity that had facilitated the implementation of the humanitarian evacuation programme in the former Yugoslav Republic of Macedonia and urged improved coordination in the field. With regard to East Timor, the European Union stressed the need to permit refugees and displaced persons who so wished to return safely to their homes. As in other regions of the world, that could be achieved only by granting UNHCR complete access to the area. In Africa, the situation in the Great Lakes region was of particular concern. The European Union urged the Governments of the region to guarantee the rights of refugees and displaced persons. In the Caucasus region, the humanitarian situation continued to deteriorate. It was essential for humanitarian organizations to have unrestricted access to the region under acceptably safe conditions.

39. States should promote lasting solutions to the problem of refugees, especially by preventing involuntary displacements and by creating conditions for the voluntary return of their citizens. Although international solidarity must always obtain, host countries had the primary responsibility for the

protection of refugees, and the principle of non-refoulement should be respected in all circumstances.

40. With the recent entry into force of the Treaty of Amsterdam, the European Union would deepen the cooperation between its members with regard to asylum and migration at the Union level. The extraordinary meeting of the European Council held in Tampere in October 1999 had reconfirmed the Union's commitment to the 1951 Convention relating to the Status of Refugees and to other relevant human rights instruments. The European Council had decided to work towards establishing a common European asylum system.

41. The European Union expressed its satisfaction at the recent accession of Kazakhstan to the 1951 Convention relating to the Status of Refugees and its 1967 Protocol and urged other States that had not yet done so to accede to or ratify those instruments at the earliest possible stage. States should also seek to ensure that their national legislation and administrative procedures were compatible with the relevant international instruments.

42. The European Union and UNHCR had enjoyed a strong relationship for many years. In recent years, the European Union had been the Office's largest donor. It therefore welcomed the new unified budget structure of UNHCR, which should promote greater flexibility and transparency. It hoped that the agreement recently concluded between the United Nations and the European Commission on principles applying to financing or co-financing, by the community, of programmes and projects administered by the United Nations would improve the prospects for mutual cooperation between those two institutions.

43. **Mr. Dos Santos** (Mozambique), speaking on behalf of the Southern African Development Community (SADC), expressed great concern at the exacerbation of the problem of refugees in Africa, caused by the outbreak of new conflicts. More attention should accordingly be given to conflict prevention mechanisms.

44. The Community also noted with concern the increasing disparities in the provision of support for refugee programmes, particularly in relation to Africa, and believed that all refugees should be treated equally regardless of their geographical origin.

45. The Community welcomed the decision of the Council of Ministers of the Organization of African Unity (OAU) to take the necessary steps to implement the declaration and recommendations adopted by the OAU Ministerial Meeting on Refugees, Returnees and Internally Displaced Persons, held in 1998. It also welcomed the cooperation between UNHCR and OAU, which had paved the way for the establishment of a UNHCR/OAU task force to follow up on the implementation of that declaration.

46. In view of the instability that continued to prevail in their countries of origin, refugees tended to prolong their stay in host countries, which should therefore receive assistance from the international community to handle the situation.

47. Furthermore, the repatriation process was often complicated by the presence of landmines in countries previously involved in conflicts. The Southern African Development Community (SADC) urged all agencies responsible for the demining process to collaborate closely with the Office of the High Commissioner and appealed to the international community to provide the necessary assistance to affected countries.

48. With regard to the xenophobia resulting from the presence of refugees, SADC commended UNHCR for the role it had played in launching, in cooperation with non-governmental organizations and government agencies, the 1998 campaign to highlight that phenomenon. The Community also hoped that UNHCR would play a major role in bringing the international community to fulfil its obligations towards African countries in formulating and implementing programmes intended to bring about a rapid transition towards rehabilitation and reconstruction.

49. While it commended the efforts undertaken by UNHCR to protect refugee women and children, SADC recommended that increased assistance should be provided to countries of asylum to enable them to devise appropriate programmes.

50. The Community believed that the sustainable development of the continent required a lasting solution to the refugee problem. The countries of origin of refugees were urged to resort to peaceful means to solve their problems and to avoid creating conditions that led to refugee flows. In its turn, the international community should continue to provide the necessary support to UNHCR and the affected countries. In formulating its strategies, UNHCR needed to consider

the specific conditions of the countries of asylum, which often lacked the necessary resources to face the burden of hosting refugees. The Community reiterated its commitment to continued and close cooperation with UNHCR in order to find lasting solutions to the refugee problem.

51. **Mr. Kolby** (Norway) said that the crisis in Kosovo, which had taken UNHCR and other humanitarian organizations by surprise, had revealed weaknesses in emergency preparedness systems and raised new questions about coordination and partnership, given the proliferation of humanitarian aid agencies.

52. During the October 1999 session of the Executive Committee, the High Commissioner for Refugees had outlined her intentions to strengthen emergency preparedness systems. The effective UNHCR response to the humanitarian crisis in East Timor showed that UNHCR had learned from the past.

53. Governments expected much of UNHCR, both on the operational side and in providing leadership in the field. At the recent session of the Executive Committee, the High Commissioner had reminded participants that UNHCR was not always given the resources it needed to exercise such leadership. The year 1999 had shown an increasing tendency towards bilateralism at the expense of multilateralism and also that the multiplication of humanitarian agencies in the field had negative implications for effective coordination.

54. Breaches of fundamental principles of refugee and international humanitarian law continued, and it was therefore imperative to consolidate support for the institution of asylum. The Office of the High Commissioner sought enhanced support for the protection regime from all its partners; his delegation welcomed those efforts and urged UNHCR to continue along those lines.

55. His delegation also commended the efforts of UNHCR to promote accession to the various legal instruments, in particular the 1951 Convention relating to the Status of Refugees and its 1967 Protocol. It was important to base the approach to the protection of refugees on the rights of individuals. His Government endorsed the work of UNHCR aimed at securing recognition of the special needs of vulnerable groups, such as women and children, and the initiatives taken to that end.

56. There had been improved cooperation between UNHCR and other parts of the multilateral system and in that regard he emphasized the importance of dialogue with the Security Council on the humanitarian dimension of conflict management. He welcomed widened cooperation with the World Bank within the framework of the round table convened at the Brookings Institution on the transition from relief to development and discussion on the role of UNHCR in post-conflict situations. As Chairman-in-Office of the Organization for Security and Cooperation in Europe, Norway had enjoyed close cooperation with UNHCR, particularly in connection with the follow-up to the Commonwealth of Independent States (CIS) Conference and the Kosovo crisis. His delegation noted with satisfaction the evolving partnership with non-governmental organizations and fully supported the UNHCR/NGO Partnership in Action (PARinAC) process.

57. In order to protect internally displaced persons more effectively, there was a need for a strong partnership between UNHCR, the Office for the Coordination of Humanitarian Affairs and other agencies, and with the International Committee of the Red Cross. In that regard, his delegation welcomed the elaboration of the guiding principles on internal displacement.

58. Security for refugees and humanitarian workers was a matter of concern to his delegation, which firmly believed that if security were absent or tenuous, reconstruction, reconciliation and post-conflict recovery would be more difficult. He looked forward to continued dialogue with UNHCR and other institutions to study various options to ensure the civilian and humanitarian character of refugee camps more effectively.

59. In 1999, UNHCR had established a new management structure, and a new budget and programming cycle that had emerged from a consultative process which had allowed far greater transparency and more obvious links between objectives and activities, as well as a clearer definition of the UNHCR strategy. He shared the hope of UNHCR that the new budget might help to establish a sounder funding base and would not result in the increased allocation of funds for special purposes. His delegation attached great importance to the evaluation of the early stages of the Kosovo operation and, in

conclusion, assured UNHCR of its support and cooperation.

60. **Mr. Yamazaki** (Japan) said that, as had been discussed in the Security Council and the Economic and Social Council, the nature of conflict had changed in that conflicts now often took place within the borders of a State. More and more civilians had fallen victim to conflicts and children had been forced to bear arms. The emergency in Kosovo in March 1999 had led the international community to give serious thought to the form that an international response to conflict should take. He recalled the remark, made by the High Commissioner at the fiftieth session of the Executive Committee, that the military could support humanitarian agencies but was no substitute for them.

61. During that session, the Executive Committee had studied the ways of strengthening international protection of refugees and other persons relevant to the work of UNHCR. As the second State to ratify the Convention on the Safety of United Nations and Associated Personnel, Japan welcomed its entry into force and pledged its active participation in international efforts to follow up on that initiative.

62. His delegation commended UNHCR for its efforts in assisting internally displaced persons and refugees, and strongly believed in the continuing relevance of the guiding principles on internal displacement.

63. With regard to the crisis in East Timor, he said that the High Commissioner had concluded a memorandum of understanding with Indonesia which had allowed it to launch its relief activities. Japan was determined to cooperate in the reconstruction of East Timor and, to that end, had contributed to UNHCR and to the World Food Programme in the early stages of the crisis, and had made additional contributions in kind to UNHCR. A Japanese official had been assigned as the Deputy Special Representative to the Secretary-General for Humanitarian Assistance and Emergency Rehabilitation. Lastly, Japan was making arrangements for the airlift of aid materials for UNHCR activities and expected to respond to the appeal launched by the Office for the Coordination of Humanitarian Affairs on 27 October 1999.

64. In follow-up to the conference organized in January 1999 at the Brookings Institution dealing with the transition from relief to development, a partnership had been established between relevant international organizations, such as the United Nations Development Programme (UNDP) and Governments. It had become increasingly clear that response to post-conflict emergency situations must be comprehensive. Reconstruction efforts in East Timor and Kosovo would provide an opportunity to apply that thinking. Japan would continue its active support of UNHCR initiatives adopted to that end.

65. His delegation welcomed the High Commissioner's remark, in her statement at the fiftieth session of the Executive Committee, that the imbalance between resources devoted to high profile emergencies and resources available to address other, equally grave, crises could be redressed by channelling resources through international multilateral agencies. His delegation also welcomed the fact that UNHCR had delegated authority to three field-based regional directorates for Africa; in response to the appeals of the Office of the High Commissioner, Japan had increased its contribution to resources for Africa from 8.6 per cent in 1998 to 10.7 per cent in 1999.

66. To support UNHCR, the Japanese Government provided both financial and human resources. To that same end, Japanese non-governmental organizations in the field should be allowed to serve as executing agencies on a more frequent basis.

67. In conclusion, his delegation welcomed Chile, Côte d'Ivoire and the Republic of Korea as new members of the Executive Committee, and paid tribute to all those countries which hosted large contingents of refugees.

68. **Mr. Carranza** (Guatemala) said that, in the wake of the internal armed conflict which had erupted 20 years previously, hundreds of thousands of Guatemalans had been forced to seek asylum abroad, including 150,000 in Mexico.

69. In 1986, the Guatemalan Government had established a special commission on repatriates, refugees and displaced persons, and had sent an official delegation to Mexico to invite the refugees to return to Guatemala.

70. A mediation tribunal involving the Office of the United Nations High Commissioner for Refugees, the Conference of Bishops, the Office of the Counsel for Human Rights and the Guatemalan Human Rights Commission had been established in 1991. That same year, formal negotiations had begun between the refugees and the Government. They had resulted in

agreements stipulating, *inter alia*, that the return of refugees should be voluntary, and that adequate provision should be made for their safe and dignified return. The Government had, moreover, pledged land for landless repatriates. The participation of the international community in the return process had been based on the memorandum of understanding concluded between the Guatemalan Government and UNHCR. Among other provisions, the memorandum laid out the conditions governing the participation of UNHCR in the reintegration process, and certain aspects of legal protection and of the fundamental rights of the repatriated population. From 1986 to 1999, the Special Commission had coordinated the return of 42,437 persons who had, *inter alia*, received food aid, agricultural requisites and assistance for constructing housing.

71. The participation of the refugees, particularly of women, in negotiations over the agreement which concerned them was characteristic of UNHCR activities in Guatemala. Repatriation programmes elsewhere should take inspiration from the principle of the active participation of refugees in negotiation processes.

72. The repatriation and reintegration operations had required concerted action. The Guatemalan Government reiterated its gratitude in that regard to partner governments, United Nations bodies, donors and non-governmental organizations. Particular thanks were due to the Government of Mexico, which had provided refugees it had hosted with exemplary food aid and which had permitted refugees who wished to do so to settle permanently in Mexico.

73. While the repatriation and resettling operations had proved most successful, the reintegration issue must not be overlooked. In 1994, the Government and the Unidad Revolucionaria Nacional Guatemalteca had signed an agreement concerning the resettlement of people uprooted in armed conflict. That agreement came within the framework of the peace agreement which sought to guarantee the full development of the repatriates. Furthermore, the Government, and UNHCR had launched rapid-impact projects in order to promote the reintegration of the repatriates.

74. The efforts made by the Government of Guatemala to ensure the reintegration and economic and social development of the repatriated population formed part of a comprehensive development process that would strengthen peace, democracy and social justice.

75. **Mr. de Alba** (Mexico) said that Mexico had always offered asylum to those who were forced to leave their country on ideological, political or religious grounds. Accordingly, Mexico had for 17 years hosted Guatemalan refugees and had, to that end, entered into close collaboration with Guatemala and the Office of the United Nations High Commissioner for Refugees.

76. The signing of the peace accords in Guatemala, and the establishment, by Mexico, of a migratory stabilization plan, had led to the establishment of a new framework for UNHCR operations with a view to promoting the voluntary return of refugees to their country, or their integration in Mexico.

77. There had been three stages to the Guatemalan refugee issue in Mexico. The first was the emergency stage, which had been characterized by a mass arrival of Guatemalans seeking asylum between 1981 and 1984. The Government of Mexico had signed an agreement with UNHCR to provide multidisciplinary assistance to the Guatemalan refugees. The second was the resettlement stage (1984-1993), during which camps had been set up in the States of Campeche, Chiapas and Quintana Roo, with the support of the international community, in particular the European Union. In order to enable the refugees to live in dignity and safety, cooperatives and markets, *inter alia*, had been set up and the refugees had been afforded employment opportunities. Interaction with the refugees had not only proved culturally and socially enriching for Mexican society, but it had also contributed to the country's economic development. The third stage was the stabilization stage (1996-1999), which had seen the granting of immigrant status to Guatemalan refugees. In the States of Campeche and Quinta Roo, that policy had led to the naturalization of refugees who wished to acquire Mexican nationality.

78. Of the 64,000 Guatemalan refugees in Mexico, 42,000 had chosen to return voluntarily to their country. The repatriation process had been successfully managed with the support of UNHCR, under the auspices of the Guatemalan Government. In July 1999, the assistance programme for the voluntary return of Guatemalan refugees had been completed.

79. In May 1999, in cooperation with the Office of the High Commissioner for Human Rights in Mexico, the Government of Mexico had organized a regional

seminar on the rights of refugees resulting in the adoption of the Declaration of Tlatelolco, which stressed, *inter alia*, the principle of non-refoulement and defined standards for the implementation of international instruments concerning refugees.

80. The Mexican Government was considering legal and administrative reforms which would enable it to become a party to the 1951 Convention relating to the Status of Refugees and its 1967 Protocol.

81. **Ms. Diogo** (Canada) congratulated the Office of the United Nations High Commissioner for Refugees (UNHCR) on the initiative it had shown in strengthening its ties with various international partners, including non-governmental actors, but emphasized that refugee protection was first and foremost a State responsibility. She supported the High Commissioner's efforts to encourage as many countries as possible to ratify the 1951 Convention and the 1967 Protocol relating to the Status of Refugees.

82. While one of the main responsibilities of States was non-refoulement, States must also facilitate access by UNHCR personnel in the field to displaced persons. That meant that States must put in place mechanisms to guarantee the security of the staff of UNHCR and other humanitarian organizations. They must also guarantee the physical security of refugees both inside and around the refugee camps. Her delegation was committed to working with other partners to find innovative means to address that challenge. Canada had made human security a priority of its foreign policy and attached great importance to the discussions held in the Security Council in February and September 1999 on the protection of civilians in armed conflict. The international community should act on Security Council resolution 1265 (1999), which had been adopted unanimously, and work together to implement the recommendations set out in the report of the Secretary-General on that issue (S/1999/957). Within the framework of human security, her delegation was increasingly concerned by the global problem of trafficking in persons, including the smuggling of migrants, and hoped that the current negotiations on the development of an international convention on transnational organized crime and its supplementary protocols (which she encouraged the international community to support), would be a positive step towards remedying that situation.

83. She encouraged UNHCR to work with States to find solutions to the problem of the abuse of refugee determination systems, which undermined the integrity of national institutions for the protection of refugees. At the same time, more attention must be paid to the root causes of conflicts and refugee movements.

84. **Mr. Kamara** (Sierra Leone) pointed out that currently 90 per cent of the victims of conflicts were civilians and that Africa was the continent most seriously affected by the problem of refugees and internally displaced persons. It was therefore particularly regrettable that, as a result of donor fatigue, funds provided to UNHCR for African refugees were diminishing, a trend which must never be allowed to take root or the very *raison d'être* of the United Nations would be called into question. While it was true that it was the responsibility of the African Governments themselves to find solutions to Africa's refugee problems, given their limited resources they required the financial, material and moral support of the international community and donor countries. UNHCR and its partner agencies clearly could not alone address the needs of African refugees. Regional efforts like those of the Economic Community of West African States (ECOWAS) and the Southern African Development Community (SADC) should be able to contain such conflicts, but the regional organizations themselves had limitations and therefore required financial, material and logistical support.

85. The conflicts in Sierra Leone, Liberia and Angola had revealed that private motives rather than ideologies were the root causes of conflict, war being an intensification of the competition for control of wealth and natural resources (diamonds in the case of Sierra Leone and Angola) by outsiders who encouraged and armed rebel groups within the countries. Nine years of war in Sierra Leone had claimed at least 50,000 lives, forced 500,000 persons into exile and displaced 2.5 million persons internally.

86. It was imperative that the international community should support post-conflict peace-building activities by assisting countries in their efforts at reconciliation and economic reconstruction, which would ensure long-term security. It was not sufficient to end a conflict; it was even more important to ensure that it did not recur.

87. Host countries, which themselves had economic and financial difficulties that could lead to

demographic and social imbalances, bore a heavy burden. In West Africa, Guinea, which had borders with Sierra Leone and Liberia, was hosting more than half a million refugees from those two countries. It therefore needed increased support from the donor community to enable it to shoulder that responsibility more effectively.

88. His delegation hoped that the recent decision of the Security Council to authorize a 6,000-strong peacekeeping force was a sign of greater willingness to take action and expressed its appreciation to all those Member States which had helped to make that operation possible. It hoped that the disarmament, demobilization and reintegration of ex-combatants programme would be implemented in order to allow the speedy return of refugees to their homeland and appealed to the international community to provide adequate funding to post-conflict Sierra Leone in order to help the returnees and displaced persons to rebuild their lives.

89. **Mr. Nikiforov** (Russian Federation) said that, while he was encouraged that there was currently the political will to solve the problem of the forced internal displacement of populations, he believed that that political will should not be transformed into a political commitment, especially since the work of the Office of the High Commissioner for Refugees, as defined in its statute, was humanitarian and social and free from any political overtones, as the High Commissioner had pointed out in her report (A/54/12).

90. With regard to humanitarian matters, one of the main priorities for the Russian Federation was the stabilization of population movements in its territory and in the other States of the Commonwealth of Independent States (CIS). That was its guiding principle in implementing the Programme of Action adopted by the Regional Conference to Address the Problems of Refugees, Displaced Persons, Other Forms of Involuntary Displacement and Returnees in the Countries of the Commonwealth of Independent States and Relevant Neighbouring States. That Programme of Action constituted an important step in a regional approach to those problems. Participants in the Conference had stressed the primary responsibility of the host country, as well as the principle of international solidarity and cooperation. The Russian Federation, despite its financial and economic difficulties, was allocating substantial resources to the implementation of the Programme of Action.

91. His delegation thanked UNHCR for the assistance it had provided in resolving the problem of refugees and displaced persons in the Russian Federation and for its active participation in humanitarian assistance operations in the countries of the Commonwealth of Independent States. His Government was endeavouring to implement the recommendations of the High Commissioner with regard to the legal protection of such persons. Without the active participation of UNHCR, the International Organization for Migration and donor countries and without their financial and political support, it would have been difficult to implement all the measures necessary to address the problems of refugees in the post-Soviet region. As the Secretary-General had pointed out in his report (A/54/286), all the participants at the Conference must continue to work together and the Programme of Action should be extended officially beyond the year 2000. To that end, UNHCR, the International Organization for Migration and the Organization for Security and Cooperation in Europe (OSCE) must work more closely together and greater use must be made of the potential of international and national non-governmental organizations, as the Steering Committee of the Conference had stated at its meeting in June 1999.

92. After noting in passing that the massive migration towards the countries of Western and Central Europe which had been predicted at the beginning of the 1990s had not in fact occurred, he said that the Russian Federation expected donor countries to make an effort to help it to establish projects which would enable it to continue to implement the Programme of Action. An objective reading of the report of the Executive Committee of the Programme of the United Nations High Commissioner for Refugees (A/54/12/Add.1) showed that the Programme of Action had not been fully implemented. He hoped that the Working Group to address the issue of follow-up to the 1996 Geneva migration conference would present a report containing joint proposals on the modalities of the conference process to the Steering Group in 2000.

93. His delegation, together with other delegations, would introduce a draft resolution on that topic, the adoption of which would guarantee that the decisions taken at the Geneva Conference would continue to be implemented.

The meeting rose at 1.20 p.m.